



Order under Section 69 Residential Tenancies Act, 2006

File Number: LTB-L-020879-26

In the matter of: 298 HARBORD ST
TORONTO ON M6G1G8

Between: GURPAL SINGH Landlord

And

FAISAL AL-SWAIEDI Tenant

GURPAL SINGH (the 'Landlord') applied for an order to terminate the tenancy and evict FAISAL AL-SWAIEDI (the 'Tenant') because:

- the Landlord requires vacant possession of the rental unit in order to do major repairs or renovations to the unit.

The Landlord also claimed compensation for each day the Tenant remained in the unit after the termination date.

This application was heard by videoconference on June 11, 2026.

Only the Landlord and the Landlord's Support Person, Anjuli Kalia and the Landlord's Representative, Harjit Dubba attended the hearing.

As of 9:32 a.m., the Tenant was not present or represented at the hearing although properly served with notice of this hearing by the LTB. There was no record of a request to adjourn the hearing. As a result, the hearing proceeded with only the Landlord's evidence.

Determinations:

1. As explained below, the Landlord has proven on a balance of probabilities the grounds for termination of the tenancy in the application. Therefore, the tenancy shall be terminated pursuant to the terms of this order.
2. The Tenant was in possession of the rental unit on the date the application was filed.

3. On March 1, 2026, the Landlord gave the Tenant an N13 notice of termination with the termination date of June 30, 2026. The N13 notice of termination was served by handing a copy of the document to the Tenants. The Landlord claims vacant possession of the rental unit is required for the purposes of carrying out major repairs, more specifically the demolition and reconstruction of a portion of the exterior brick wall of the residential complex.
4. The rental property in this application is located on the northwest corner of Clinton Street and Harbord Street in Toronto, Ontario. The property is comprised of one large structure that has three separate entrances that each have a separate municipal address. The three municipal addresses associated with this structure are 236 Clinton Street, 298 Harbord Street, and 300 Harbord Street. All three municipal addresses are within the same structure and all share common HVAC, utilities, and building footprint.
5. On or about January 23, 2024, the Landlord received a work order from the City of Toronto. This order listed 300 Harbord Street, Toronto, Ontario, as the property requiring the Landlord's attention. The work order identified part of the upper-level exterior wall at the southwest side of the building to require assessment by a professional engineer to determine the integrity of the wall and identify potential safety concerns.
6. The Landlord retained the services of an engineer and had the wall assessed as required by the work order. Based on the assessment, a large portion of the wall as described in the work order is unsafe and requires demolition and reconstruction of the same.
7. The Landlord has obtained the necessary building permit from the City of Toronto. A copy of the building permit and architectural plans were tendered as evidence by the Landlord.
8. The work will require vacant possession of the rental unit. The power and services to the building and all units therein will have to be shut off to complete the work. It is also unsafe for the Tenant to remain in the unit during the work being completed. The Landlord anticipates that the work may take approximately 3 to 4 months to complete.
9. Based on the uncontested evidence, I am satisfied that the Landlord in good faith intends to do repairs that are so extensive that they require a building permit and vacant possession of the rental unit. I am also satisfied that the Landlord has obtained the necessary permits for this work.
10. The Tenant has the right to move back into the rental unit when the repairs or renovations are completed at a rent that is no more than what the Landlord could have lawfully charged if there had been no interruption in the tenancy. The Tenant must give the Landlord notice in writing of the Tenant's intent to move back into the unit before vacating the rental unit. The Tenant must inform the Landlord in writing of any change in address.
11. The Landlord is not required to compensate the Tenant because the repair work was ordered to be carried out under the authority of the City of Toronto.
12. Based on the monthly rent, the daily compensation is \$24.66. This amount is calculated as follows: $\$750.00 \times 12$, divided by 365 days.

13. The Landlord collected a rent deposit of \$725.00 from the Tenant and this deposit is still being held by the Landlord. Interest on the rent deposit, in the amount of \$74.92 is owing to the Tenant for the period from September 1, 2020, to June 11, 2026.
14. The Landlord was unaware of any circumstances that may require the Board to consider delaying or denying termination of the tenancy and sought the issuance of an order terminating the tenancy on June 30, 2026. The Landlord's Representative also argued that due to the structural integrity of the wall, it is unsafe for anyone to reside inside the building until the remediation work is completed.
15. I have considered all of the disclosed circumstances in accordance with subsection 83(2) of the *Residential Tenancies Act, 2006* (the 'Act'), and find that it would be unfair to grant relief from eviction pursuant to subsection 83(1) of the Act.

It is ordered that:

1. The tenancy between the Landlord and the Tenant is terminated. The Tenant must move out of the rental unit on or before June 30, 2026.
2. If the unit is not vacated on or before June 30, 2026, then starting July 1, 2026, the Landlord may file this order with the Court Enforcement Office (Sheriff) so that the eviction may be enforced.
3. Upon receipt of this order, the Court Enforcement Office (Sheriff) is directed to give vacant possession of the unit to the Landlord on or after July 1, 2026.
4. The Tenant shall pay the Landlord compensation of \$24.66 per day for the use of the unit starting July 1, 2026, until the date the Tenant moves out of the unit.

June 19, 2026
Date Issued

Ilan Shingait
Member, Landlord and Tenant Board

15 Grosvenor Street, Ground Floor
Toronto ON M7A 2G6

If you have any questions about this order, call 416-645-8080 or toll free at 1-888-332-3234.

In accordance with section 81 of the Act, the part of this order relating to the eviction of the Tenant expires on January 1, 2027, if the order has not been filed on or before this date with the Court Enforcement Office (Sheriff) that has territorial jurisdiction where the rental unit is located.